

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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**In re** : **Case No. 07-22631 (RDD)**  
: **Chapter 11**  
**JOYCE E. BROWN,** :  
: **Debtor.** :  
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**STIPULATION AND ORDER**

**WHEREAS**, on July 9, 2007, Joyce E. Brown (the “Debtor”) commenced this bankruptcy case by filing a voluntary chapter 11 petition (ECF Doc. No. 1); and

**WHEREAS**, prior to the commencement of her instant Chapter 11 case, the Debtor filed two prior Chapter 13 bankruptcy cases (04-22613 (ASH), 05-22453 (ASH)), both of which were dismissed by this Court; and

**WHEREAS**, the Debtor’s husband, Kofi Osae-Kwapong has filed four prior bankruptcy petitions, three under Chapter 13 of the Bankruptcy Code (03-22881 (ASH), 03-23870 (ASH), and 04-23783 (ASH)), and one under Chapter 11 of the Bankruptcy Code (06-22489 (ASH)). Each of Mr. Osae-Kwapong’s the Chapter 13 cases was dismissed without prejudice, and his Chapter 11 case was dismissed with prejudice for one year; and

**WHEREAS**, by Order dated November 29, 2007, the Court granted the motion of Tribeca Lending Corporation to lift the automatic stay to permit the maintenance of mortgage foreclosure proceedings with respect to the Debtor’s real property located in Scarsdale, New York; and

**WHEREAS**, the Debtor has not filed an application to retain counsel in this case; and

**WHEREAS**, apart from the filing of several monthly operating reports in this case, the Court’s docket report shows virtually no recent activity in this case; and

**WHEREAS**, the Debtor and the United States Trustee desire that the Court dismiss this case with prejudice.

**IT IS HEREBY STIPULATED AND AGREED**, by and between the Debtor and the United States Trustee, that this case commenced under Chapter 11 of the Bankruptcy Code be and is hereby dismissed with prejudice from any court for a one-year period from the date of entry of this Order, pursuant to 11 U.S.C. § 1112(b), and it is further

**ORDERED**, that the debtor pay to the United States Trustee the appropriate sum required, if any, pursuant to 28 U.S.C. § 1930(a)(6), within ten (10) days of the entry of this order and simultaneously, provide to the United States Trustee an appropriate affidavit indicating the cash disbursements, if any, for the relevant period.

Dated: West Harrison, New York  
October 8, 2009

By: /s/ Joyce E. Brown  
Joyce E. Brown, Debtor

Dated: New York, New York  
October 28, 2009

DIANA G. ADAMS  
UNITED STATES TRUSTEE

By: /s/ Richard C. Morrissey  
Richard C. Morrissey  
Trial Attorney  
33 Whitehall Street, 21<sup>st</sup> Floor  
New York, New York 10004  
(212) 510-0500

**SO ORDERED:**

/s/ Robert D. Drain  
**ROBERT D. DRAIN**  
**U.S. BANKRUPTCY JUDGE**

Dated: White Plains, New York  
December 16, 2009